

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 21-2835

BRYAN DAVID RANGE,
Appellant

v.

ATTORNEY GENERAL UNITED STATES OF AMERICA; REGINA LOMBARDO,
Acting Director, Bureau of Alcohol, Tobacco, Firearms and Explosives

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. No. 5:20-CV-03488)
District Judge: Honorable Gene E.K. Pratter

Argued before Merits Panel on September 19, 2022
Argued En Banc on February 15, 2023

Before: CHAGARES, *Chief Judge*, JORDAN, HARDIMAN, GREENAWAY, JR.,
SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER, MATEY, PHIPPS, FREEMAN,
MONTGOMERY-REEVES, ROTH, * and AMBRO, ** *Circuit Judges*.

JUDGMENT

* Judge Roth is participating as a member of the en banc court pursuant to 3d Cir. I.O.P. 9.6.4.

** Judge Ambro assumed senior status on February 6, 2023 and elected to continue participating as a member of the en banc court pursuant to 3d Cir. I.O.P. 9.6.4.

This cause came to be considered on the record from the United States District Court for the Eastern District of Pennsylvania and was argued en banc on February 15, 2023. On consideration whereof, it is now hereby ORDERED and ADJUDGED by this Court that the Judgment of the District Court entered August 31, 2021 is hereby REVERSED and the cause REMANDED for entry of a declaratory judgment that 18 U.S.C. § 922(g)(1) is unconstitutional under the Second Amendment of the United States Constitution as applied to Bryan Range; entry of an order enjoining enforcement of 18 U.S.C. § 922(g)(1) against him; and for any additional proceedings the District Court deems just and proper. All of the above in accordance with the Opinion of this Court.

Costs taxed against Appellees.

ATTEST:

s/ Patricia S. Dodszuweit,
Clerk

Dated: June 6, 2023



Teste: *Patricia S. Dodszuweit*
Clerk, U.S. Court of Appeals for the Third Circuit